

**CALIFORNIA COUNCIL FOR ENVIRONMENTAL  
AND ECONOMIC BALANCE**

**100 Spear Street, Suite 805, San Francisco, CA 94105**

**VIA ELECTRONIC MAIL**

August 31, 2004

Dr. Deborah Drechsler, Ph.D.  
Research Division  
Air Resources Board  
P.O. Box 2815  
Sacramento, CA 95812  
[ddrechsl@arb.ca.gov](mailto:ddrechsl@arb.ca.gov)

Re: CCEEB's Comments on ARB's Review of the California  
Ambient Air Quality Standard for Ozone

Dear Dr. Drechsler:

The California Council for Environmental and Economic Balance ("CCEEB") is a nonprofit, nonpartisan coalition of business, labor and public leaders that works to advance policies that protect public health and the environment while also allowing for continued economic growth. Following are CCEEB's comments regarding the Air Resources Board's ("ARB's") review of the California Ambient Air Quality Standard for Ozone.

**1. Proposed 0.070 ppm 8-hour-Average State Ozone Standard**

As you know, ARB staff is proposing a new State 8-hour average ozone standard of 0.070 ppm. This proposed standard would be more stringent than the corresponding EPA standard of 0.08 ppm. CCEEB recognizes that the State standard must adequately protect the health of the public, including infants and children, with an adequate margin of safety. [California Health and Safety Code, Section 39606.] However, given the very high costs for ozone standard attainment programs, the fact that future additional reductions are becoming more and more difficult to identify, and the reality of how high background ozone levels are in some areas, we suggest that it is critical that the adopted standard be health protective – but not more stringent than what is necessary to protect public health, including infants and children, with an adequate margin of safety.

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CCEEB urges ARB to carefully review, with that suggestion in mind, the comments submitted to ARB by organizations for which scientific experts have reviewed the supporting information and studies for the proposed 8-hour State ozone standard.

## **2. “Not be Exceeded” Element of Staff’s Proposal**

Staff is proposing, for both the existing 1-hour standard and the proposed 8-hour standard, that the standards would be established as “not to be exceeded.” CCEEB requests that staff clarify what language would be used for establishing this element of the standards. As staff explains on Page 7-2 of the Volume 1 of the June 21, 2004 Public Review Draft, the State area designation (“criteria for attainment”) process includes provisions for excluding high values that are not reasonable to control through the regulatory process. (Under the California Clean Air Act (“CCAA”) (California Health and Safety Code Section 39607), highly irregular or infrequent events may be excluded in the criteria for attainment.) Under ARB’s area designation program, there are three types of highly irregular and infrequent events: extreme concentrations events, exceptional events and unusual concentration events. The drafting of for the ozone standards should not in any way negate the fact that the area designation program allows for certain exceedances to be excluded, as provided for by the CCAA.

CCEEB appreciates ARB’s consideration of these comments. If you have any questions, please contact me at (415) 512-7890 or Cindy Tuck at (916) 442-4249.

Sincerely.

[Original Signed by]

VICTOR WEISSER  
President

### VIA ELECTRONIC MAIL

cc: Mr. Bart Croes  
Mr. Richard Bode  
Mr. Jackson Gualco  
Ms. Cindy Tuck